

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 10900 of 2004

Between:

B.Dongapanti Bena Swamy, s/o Chinna Abbai, aged about 35 years,

Occ: Agriculture & Ex Panchayat Member, R/o Chinna Barada (Village), Pedda Barada Panchayath, Chinntapalli (Mandal), Visakhapatnam District.

..... PETITIONER

AND

- 1 Government of Andhra Pradesh, rep., by its Principal Secretary to the Govt., for Medical and Health Department, Secretariat Buildings, Saifabad, Hyderabad.
- 2 The Director of Health, Government of Andhra Pradesh, Hyderabad.
- 3 The District Medical and Health Officer, Visakhapatnam District, Office of the D.M.H.O., Visakhapatnam (District).
- 4 The Project Officer, I.T.D.A., Paderu Division, Paderu, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the fourth respondent seriously trying to shift the Government dispensary from Lothugada Junction, Pedda Barada Panchayath, Chintapally Mandal, Visakhapatnam District to a remote place known as Korukonda Village, Balapam Panchayath, as being illegal, arbitrary, capricious, malafide and against the principles of natural justice guaranteed in the Constitution of India

Counsel for the Petitioner:SUBHANI.S.M.

Counsel for the Respondent Nos. 1 to 4: GP FOR MEDICAL HEALTH &

FAMILY WELFARE

The Court made the following Oral Order: (per Sri Devinder Gupta,CJ)

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Learned Government Pleader for Medical Health and Family Welfare states that Lothugedda Government Dispensary is functioning at Lothugedda Junction and there is no disruption in medical facilities and the proposal to shift the said dispensary has been dropped.

In view of the submission of the learned Government Pleader, learned counsel for the petitioner says that he has instructions to withdraw the writ petition.

The writ petition is accordingly dismissed as withdrawn. No costs.

DEVINDER GUPTA,CJ

DATE: 19th July, 2004

C.V. RAMULU,J

Pnb

To

- 1 The Principal Secretary to the Govt., for Medical and Health Department Government of Andhra Pradesh, Secretariat Buildings, Saifabad, Hyderabad.
- 2 The Director of Health, Government of Andhra Pradesh, Hyderabad.
- 3 The District Medical and Health Officer, Visakhapatnam District, Office of the D.M.H.O., Visakhapatnam (District).
- 4 The Project Officer, I.T.D.A., Paderu Division, Paderu, Visakhapatnam.